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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 2nd December, 1998:—

BILL NO. 130 OF 1998

A Bill to amend the High Denomination Bank Notes (Demonetisation) Act, 1978.

BE it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. This Act may be called the High Denomination Bank Notes (Demonetisation) Amendment Act, 1998. Short title.

2. In section 2 of the High Denomination Bank Notes (Demonetisation) Act, 1978, in clause (d), for the words “issued by the Reserve Bank”, the words “issued by the Reserve Bank immediately before the commencement of this Act” shall be substituted. Amendment of section 2 of Act 11 of 1978.

STATEMENT OF OBJECTS AND REASONS

To eliminate the shortage of currency notes and to ease the pressure on other denominations, it is proposed to amend section 2 of the High Denomination Bank Notes (Demonetisation) Act, 1978. This will facilitate the Reserve Bank of India to issue notes of Rs. 1,000 denomination immediately.

2. The Bill seeks to achieve the above object.

NEW DELHI;

YASHWANT SINHA.

The 22nd October, 1998.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend section 2 of the High Denomination Bank Notes (Demonetisation) Act, 1978 for facilitating the Reserve Bank of India to issue notes of Rs. 1,000 denomination. These notes will be printed in the existing note-printing Presses with the available facility and the expenditure involved will be only to the extent of normal production cost, which will be about Rs. 1.25 per piece.

2. The provisions of the Bill do not require any other recurring or non-recurring expenditure.

BILL No. 141 OF 1998

A Bill further to amend the Railway Claims Tribunal Act, 1987.

BE it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

54 of 1987.	1. This Act may be called the Railway Claims Tribunal (Amendment) Act, 1998.	Short title.
	2. After section 30 of the Railway Claims Tribunal Act, 1987, the following section shall be inserted, namely:—	Insertion of new section 30A.
	"30A. The power to make rules under clause (b) of sub-section (2) of section 30 shall include the power to make such rules or any of them retrospectively from a date not earlier than the date on which this Act received the assent of the President, but no such retrospective effect shall be given to any such rule so as to prejudicially affect the interests of any person to whom such rule may be applicable."	

Power to make rules retrospectively

STATEMENT OF OBJECTS AND REASONS

Section 9 of the Railway Claims Tribunal Act, 1987 provides that the salaries and allowances payable to, and the other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Chairman, Vice-Chairman and other Members shall be prescribed by rules. Accordingly, the Central Government notified the Railway Claims Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Rules, 1989. While examining the question of revising the salary and allowances payable to the Chairman, Vice-Chairman and other Members of the Railway Claims Tribunal with effect from 1-1-1996 on the basis of the recommendations of the Fifth Central Pay Commission by suitably amending the relevant rules, it has been observed that there is no enabling provision in the said Act to give retrospective operation as provided under section 36A of the Administrative Tribunal Act, 1985. In order to overcome this difficulty, it is proposed to amend the said Act to provide for an enabling provision to make rules with retrospective effect not earlier than the date of commencement of the said Act.

2. The Bill seeks to achieve the above object.

New Delhi;
The 13th November, 1998.

NITISH KUMAR.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill seeks to insert a new section 30A in the Railway Claims Tribunal Act, 1987 so as to enable the Central Government to give retrospective effect to the rules that may be made under clause (b) of sub-section (2) of section 30 of the said Act. The matters with respect to which rules may be made retrospectively may relate to the salaries and allowances payable to, and the other terms and conditions of service of the Chairman, Vice-Chairman and Members of the Tribunal. The proposed new section 30A specifically provides that any retrospective effect given to the rule shall not prejudicially affect the interests of any person to whom such rule may be made applicable. In view of this provision, the delegation of legislative power can be said to be normal in character.

S. GOPALAN,
Secretary-General.

